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CITY AND COUNTY OF SAN FRANCISCO,  
AND PAUL MIYAMOTO, IN HIS OFFICIAL  
CAPACITY AS SAN FRANCISCO SHERIFF

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

JOSHUA SIMON, DAVID BARBER, AND  
JOSUE BONILLA, INDIVIDUALLY AND  
ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED, DIANA BLOCK,  
AN INDIVIDUAL AND COMMUNITY  
RESOURCE INITIATIVE, AN  
ORGANIZATION,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, PAUL MIYAMOTO, IN HIS  
OFFICIAL CAPACITY AS SAN  
FRANCISCO SHERIFF,

Defendants.

Case No. 4:22-cv-05541 JST

**DEFENDANTS' STATUS REPORT  
FOLLOWING ORDER ON MOTION TO  
ENFORCE PRELIMINARY INJUNCTION**

Date Action Filed: September 8, 2022  
Trial Date: Not Set

1 Following issuance of the Order Granting Plaintiffs' Motion to Enforce Preliminary Injunction,  
2 ECF No. 101, Defendants the City and County of San Francisco and San Francisco Sheriff Paul  
3 Miyamoto ("Defendants") respectfully submit this status update.

4 On September 27, 2024, the Superior Court was closed for Native American Day. Given this  
5 Court's order, as of September 30, 2024, the San Francisco Sheriff's Office's Pre-Trial Electronic  
6 Monitoring ("SFSO PTEM") Program will no longer accept new participants for supervision on  
7 release as long as this court order is in force. The Sheriff has implemented this change because the San  
8 Francisco Sheriff's Office cannot safely administer the SFSO PTEM Program without a warrantless  
9 search condition as a standard program rule for participants. *See* ECF No. 104-1 ¶¶ 3–4. The Sheriff  
10 will provide notice of this change today after filing this Status Report to San Francisco Superior Court  
11 Presiding Judge Massullo and other stakeholders. *See* Exhibit A.

12 The Sheriff will continue to operate the SFSO PTEM Program for those currently enrolled and  
13 will process orders enrolling criminal defendants on SFSO PTEM made before September 30, 2024.  
14 Going forward, Superior Court judges will continue to have alternatives in determining the  
15 appropriate pretrial release conditions for criminal defendants including releasing defendants on their  
16 own recognizance without conditions, imposing stay away orders or curfews, assertive case  
17 management (ACM), drug conditions and testing, alcohol conditions and testing, residential treatment,  
18 and weapons conditions.

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1 Dated: September 29, 2024

Respectfully submitted,

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9 By: /s/ Alexander J. Holtzman  
ALEXANDER J. HOLTZMAN

10 Attorneys for Defendants  
11 CITY AND COUNTY OF SAN FRANCISCO, PAUL  
12 MIYAMOTO, IN HIS OFFICIAL CAPACITY AS SAN  
FRANCISCO SHERIFF  
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